

May 9, 2017

CITY OF BARRON, WI
MINUTES AND PROCEEDINGS OF THE COMMON COUNCIL REGULAR MEETING
TUESDAY, MAY 9, 2017, 5:30 P.M.
CITY HALL, 1456 EAST LASALLE AVENUE, BARRON, WI 54812

1. Call to order

Mayor David Vruwink called a regular meeting of the City of Barron Common Council to order at 5:30 p.m. on Tuesday, May 9, 2017, pursuant to due notice. Roll call: Councilpersons Tony Allen, Mike Dietrich, Kevin Haller, Mark Thompson, Maureen Tollman and Rod Nordby. A quorum was confirmed. Also present were City Attorney Andrew Harrington, City Administrator-Clerk/Treasurer Bob Kazmierski, MSA Professional Services representative Dave Rasmussen, Library Director Sue Queiser, Ron Fladten, Teri Crites and Bob Zientara. All present joined to salute the flag. Mayor Vruwink began the meeting with a prayer.

2. Conduct Public Hearing to consider the enactment of Room Tax Ordinance per Wis. Stat.

§66.0615(1m) (a). Mayor Vruwink opened the public hearing at 5:30PM for the proposed ordinance that would allow the City of Barron to impose room tax on the privilege of furnishing at retail, rooms or lodging to transients by hotelkeepers and/or motel operators or other persons furnishing accommodations that are available to the public.

With no public comment, Mayor Vruwink closed the public hearing at 5:49PM

3. ORDINANCE No. 2017-03; Amending CHAPTER 46 of the Municipal Code-Related to creating and imposing a Room Tax in the City of Barron for Tourism Promotion and Development

ORDINANCE 2017-03

AN ORDINANCE AMENDING CHAPTER 46 RELATING TO CREATING AND IMPOSING A ROOM TAX IN AND ESTABLISH A TOURISM COMMISSION THE CITY OF BARRON

The Common Council of the City of Barron, Wisconsin, does hereby ordain as follows:

SECTION 1:

Chapter 46 of the Code of Ordinances of the City of Barron is amended to read as follows: Article III of Ch. 46 of Code of Ordinances for the City of Barron is created for the purposes of creating and imposing a room tax in the City of Barron and creating a tourism commission pursuant to Wis. Stat. §66.0615.

CHAPTER 46

CREATING AND IMPOSING A ROOM TAX IN THE CITY OF BARRON

46-34 Six Percent (6%) Room Tax Imposed. Pursuant to §66.0615, Wis. Stats., a tax is hereby imposed on the privilege and service of furnishing, at retail, rooms or lodging to transients by hotel keepers, motel operators and other persons furnishing accommodations that are available to the public, irrespective of whether membership is required for use of the accommodations. In this Subsection, "hotel", "motel", and "transient" shall have the meaning set forth in §77.52(2)(a)l, Wis. Stats. and "gross receipts" shall have the meaning set forth in § 77.51. (4), Wis. Stats., in so far as applicable. The tax shall be at the rate of six percent (6%) of the gross receipts from such retail furnishing of rooms or lodging. The tax shall not be subject to the selective sales tax imposed by §77.52(2), Wis. Stats.

46-35 Application of Proceeds. The proceeds of the tax, when collected, less all collection expenses, shall be assigned to the general fund and disbursed as provided by State law.

46-36 Tax to be Paid and Returns Filed Quarterly. The tax imposed by this chapter shall be paid for each calendar quarter and shall be due and payable on the last day of the month next succeeding the calendar quarter for which imposed. A return shall be filed with the City Administrator/City Clerk-Treasurer by those furnishing at retail such rooms and lodging on or before the same date on which such tax is due and payable. Such return shall show the gross receipts of the preceding calendar quarter from the retail furnishing of rooms or lodging, the amount of taxes imposed for such period, and such other information as the City Administrator/City Clerk-Treasurer deems necessary.

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46-37 Annual Return Required. Every person required by sec. 46-36 to file a quarterly return shall file an annual calendar year-return. The annual return shall be filed within thirty (30) days of the close of each calendar or fiscal year. The annual return shall summarize the quarterly returns, reconcile and adjust for errors in the quarterly returns, and shall contain such additional information as the City Administrator/City Clerk-Treasurer requires. The annual returns shall be made on forms prescribed by the City Administrator/City Clerk-Treasurer. All such returns shall be signed by the person required to file a return or his/her duly authorized agent, but need not be verified by oath.

46-38 Extension of Time to File Return on Showing of Good Cause. The City Administrator/City Clerk-Treasurer may, for good cause, extend the time for filing any return, but in no event longer than one (1) month from the original due date of the return.

46-39 Tourism Commission and City Administrator/City Clerk-Treasurer to Administer. The provisions of this section shall be administered by the City Administrator/City Clerk-Treasurer. The City Council may establish at the recommendation of the Tourism Commission through a separate City Resolution the following programs: (a) Room Tax Sharing Program. A room tax sharing program may include a separate established review panel made up of other governmental agencies and business and citizens of the community. The City Administrator/City Clerk-Treasurer shall establish such forms and procedures as are reasonably necessary to carry out its intent and purposes.

46-40 Permit Required. Every person furnishing rooms or lodging under sec. 46.34 shall file with the City Administrator/City Clerk-Treasurer an application for a permit for each place of business. The application shall be made upon a form prescribed by the City Administrator/City Clerk-Treasurer and shall set forth the name under which the applicant transacts or intends to transact business, the location of the place of business, and such other information as the City Administrator/City Clerk-Treasurer requires. The application shall be signed by the owner if a sole proprietor and, if not a sole proprietor, by the person authorized to act on behalf of the owner.

46-41 City Administrator/City Clerk-Treasurer to Issue Permit. After compliance with sec. 46.39 and sec. 46-50 by the applicant, the City Administrator/City Clerk-Treasurer shall grant and issue to each applicant a separate permit for each place of business within the City. Such permit shall not be assignable and shall be valid only for the person in whose name it is issued and for the transaction of business at the place designated therein. It shall at all times be conspicuously displayed at the place for which issued.

46-42 Appeal of Amount of Room Tax. Any person who shall dispute the amount of tax levied by this ordinance may file a petition with the City Administrator/City Clerk-Treasurer setting forth the basis for the dispute of the tax. The merits of such dispute shall be determined by the Board of Review. As a condition to filing a petition, the taxes under protest shall first be paid in full. Any such tax wrongfully assessed shall be refunded to the payer.

46-43 Procedure Where Business is sold. If a person liable for a tax under this section sells the business or terminates the business, the purchaser, successor or assigns of the person so liable shall withhold from the purchase price a sum sufficient to pay any unpaid room taxes accrued prior to the sale or termination until the Seller produces a receipt from the City Administrator/City Clerk-Treasurer that the tax has been determined and fully paid or a certificate that no tax is due. Any purchaser who fails to withhold the room tax from the purchase price as required herein shall be personally liable for payment of the amount required to be withheld.

46-44 Audits; Penalty for Failure to Allow Inspection.

(1) The City Administrator/City Clerk-Treasurer may, by office audit, determine the tax required to be paid to the City or the refund due to any person under this subsection. This determination may be made upon the basis of the facts contained in the return being audited or on the basis of any other information within the City Administrator/City Clerk-Treasurer's possession. One or more such office audit determinations may be made by the City Administrator/City Clerk-Treasurer as deemed necessary.

46-45 Audit.

(1) The City Administrator/City Clerk-Treasurer may, by field audit, determine the tax required to be paid to the City or the refund due to any person under this section. The determination may be made

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upon the basis of the facts contained in the return being audited or upon any other information within the City Administrator/City Clerk-Treasurer's possession. The City Administrator/City Clerk-Treasurer is authorized to examine and inspect the state sales tax records, and memoranda, of any person in order to verify the tax liability of that person or of another person.

- (2) If the City Administrator/City Clerk-Treasurer has probable cause to believe that the correct amount of room tax has not been assessed or that the tax return is not correct, the City Administrator/City Clerk-Treasurer may inspect and audit the financial records of any person subject to the room tax pertaining to the furnishing of accommodations to determine whether the correct amount of room tax is assessed and whether any room tax return is correct.
- (3) Any person who fails to comply with a request to inspect and audit the financial records pursuant to (2) shall forfeit to the City an amount equal to six per cent (6%) of the room tax as finally determined.
- (4) The City Administrator/City Clerk-Treasurer is authorized to examine and inspect state sales tax records of the Wisconsin Department of Revenue in order to establish or verify the tax liability.

46-46 Failure to File Returns, Determination of Tax Estimate by City Administrator/City Clerk-Treasurer, Interest.

If any person required to make a return fails to file, neglects or refuses to do so for the amount, in the manner and form and within the time prescribed by the City for filing of the return, the City Administrator/City Clerk-Treasurer shall determine the tax according to his/ her best judgment. Such determinations may be made for one or more periods.

Such determination shall be made for the period for which such person failed to make a return and shall be based upon any information which is in the City Administrator/City Clerk-Treasurer's possession or which may come into the City Administrator/City Clerk-Treasurer's possession. On the basis of this estimate, the City Administrator/City Clerk-Treasurer shall compute and determine the amount required to be paid to the City, adding to the sum interest at the rate of one per cent (1%) per month on the unpaid balance from the date the tax would have been due had a return been timely filed until the tax is paid.

No modification of the payment so determined may be made until the person files a correct room tax return and permits the City to inspect and audit his or her financial records.

46-47 Interest Charged on Unpaid Tax.

All unpaid taxes imposed under this chapter shall bear interest at the rate of one percent (1%) per month from the due date of the tax until the first day of the month following the month in which the tax is paid or deposited with the City Administrator/City Clerk-Treasurer.

All refunded taxes shall bear interest at twelve percent (12%) per annum from the due date of the return until the first day of the month following the month in which said taxes are refunded.

An extension of time within which to file a return shall not operate to extend the due date of the return for purposes of interest computation. If the City Administrator/City Clerk-Treasurer determines that any overpayment of tax has been made intentionally or by reason of carelessness or neglect, or if the tax which was overpaid was not accompanied by a complete return, no interest shall be paid thereon.

46-48 Delinquent Returns.

Late Filing Fee. Delinquent tax returns shall be subject to a Ten Dollar (\$10.00) late filing fee. The tax imposed by this section shall become delinquent if not paid:

(1) In the case of a timely filed return, within thirty (30) days after the due date of the return, or within thirty (30) days after the expiration of an extension period if one has been granted.

(2) In the case of no return filed, or a return filed late, by the due date of the return.

46-49 Penalty for Failure to Pay Tax.

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Any person who fails to pay the room tax when due shall forfeit twenty-six percent (26%) of the room tax determined to be due for the previous year or \$5,000.00, whichever is less plus all applicable costs, fees and surcharges imposed under Ch. 814 Wis. Stats., and in the event such forfeiture, costs, fees and surcharges are not paid, such person, officer, director of such corporation, any partner of such partnership, sole member or managing member of a limited liability company, any trustee of such trust or any officer or principal of any other legal entity may, upon order of the Circuit Court, be subject to any sanctions duly imposed by the Court for such failure to pay. Such forfeiture shall be in addition to all interest imposed by this chapter.

46-50 Records to be Kept.

Every person liable for the tax imposed by this section shall keep or cause to be kept such records, receipts, invoices and other pertinent papers in such form as the City Administrator/City Clerk-Treasurer requires.

46-51 Confidentiality of Records; Penalty for Improper Disclosure.

1. All tax returns, schedules, exhibits, writings, audit reports or other information relating to such returns on file with the City Administrator/City Clerk-Treasurer shall be confidential, except the City Administrator/City Clerk-Treasurer may divulge their contents to the following and no others:
 - a) The person who filed the return.
 - b) Officers, agents or employees of the Wisconsin Department of Revenue.
 - c) Officers, agents or employees of the City as may be necessary to enforce this chapter, manage collection of the room tax or otherwise use the information in the discharge of duties imposed by law or the duties of their office.
 - d) As directed by an order of a court.
2. Any publication of statistics related to the room tax shall be classified so as not to disclose the identity of particular returns.
3. Any person violating sec. **46-51** may be required to forfeit not less than \$100 nor more than \$500.

46-52 Definition. As used in this chapter, the term person shall include a natural person or any officer of a corporation, any partner of a partnership, any sole member or managing member of a limited liability company, any trustee of a trust or any officer or principal of any other legal entity which is subject to the room tax imposed by this chapter.

46-53 Severability. If any Provision, section, subsection, sentence, clause, or phrase of this Ordinance shall for any reason be held to be invalid, illegal, unconstitutional or otherwise not legally enforceable, whether as to any specific property or as to all properties in a class or as to all properties within the City of Barron, such holding or decision shall not affect the validity of the remaining portions of this Ordinance, or the applicability of this Ordinance to any property outside of the class to which it has so been held invalid which can be given effect without the invalid, illegal, unconstitutional provision or application, it being specifically intended that the various provisions of this Ordinance be deemed severable.

46-54 Tourism Commission. Pursuant to Section 66.0615(c) and (d), Wisconsin Statutes, the city creates a commission to coordinate tourism promotion and development in the city. The commission, which shall be known as the "Barron Tourism Commission," shall consist of five members appointed by the mayor and shall be confirmed by the majority vote of all members of the common council. One of the commission members shall represent the Wisconsin hotel and motel industry. Commission members shall serve for a one-year term, at the pleasure of the mayor, and may be reappointed.

Functions and Powers.

1. The Commission shall coordinate tourism promotion and tourism development for the City as set forth in section 66.0615, Wis. Stats.

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2. The Commission shall monitor the collection of room taxes in the City, receive room tax revenue from the City and use it for tourism promotion and tourism development in the City. The commission shall not use any of the room tax revenue to construct or develop a lodging facility.
3. The Commission shall review and recommend ordinances, expenditures of room taxes, and policies relating to the promotion of tourism in Barron to visitors and tourism development.
4. The Commission shall report annually to the City Council the purposes and amounts for which room tax revenues were spent.
5. The Commission shall report any room tax delinquencies or inaccurate reporting to the City.
6. The Commission may contract with a qualified organization under 66.0615, Wis. Stats., to perform the functions of a tourism entity.

SECTION 2:

Any unpaid room tax liabilities arising under Chapter 46 of the Code of Ordinance as it existed prior to the effective date of this ordinance or arising after enactment of this ordinance but prior to the effective date of this ordinance shall not be deemed waived or forgiven by enactment of this ordinance and shall continue to be due and owing to and collectable by the City.

SECTION 3:

This ordinance shall be effective July 1, 2017.

Motion by Nordby, seconded by Haller to adopt room tax at 6% rate beginning July 1, 2017, roll call vote: Voting in Favor: Allen, Dietrich, Haller, Nordby, Thompson and Tollman
Voting against: None . 6 ayes, 0 nays, Motion carried.

4. Consent Agenda:

Motion by Nordby, seconded by Tollman, to approve the consent agenda, as follows:

- A. Reading and Approval of Minutes from April 11, 2017 Regular Council Meeting
- B. Reading and Approval of Minutes from April 18, 2017 Council Organizational Meeting
- C. Approval of Claims and Bills
- D. Authorize Kelli Rasmussen, City Utility Clerk, to attend the 2017 Municipal Clerks & Treasurers Institute-July 9-14, 2017-UW Green Bay
- E. Recommend Pete Olson to serve on Joint Review Board as Citizen Member
- F. Approval of Mayoral appointment of Sue Allen to serve on Board of Review
- G. Approval of Street Committee recommendation to hire Jakob Gordon and Michael Johnston as seasonal employees
- H. Approval of the following seasonal swimming pool employees: Pool Director-Katie Mizer; Assistant Pool Director-Molly Boe; Lifeguards-Taylor Weis, Rachel Peterson, Catherine Murray, Keisha Kappel, Clara Babler, Halycon Jerome, Jasmine Mlejnik, Tyrone Smith, Bailey Turgeson, and Elliott Borgen
- I. Approval of wage adjustments for seasonal outdoor pool employees
- J. Approval of bids, as recommended by Street Committee, for: blacktop, chip seal, crack filling and concrete projects
- K. Approval of Operators License to Serve for Jessica Marie Garske and Robert Lindfors, for the period ending June 30, 2017
- L. Approval of original application for "Class B" Combination Liquor and Fermented Malt Beverage License: The ER Bar, LLC, dba ER BAR, 54 S. 3rd Street, Ellen G. Fogelberg, Agent
- M. Approval of updated bid for outdoor pool flooring
- N. Acceptance of Building Inspector's (Jim Heldstab) retirement notice

Roll Call Vote: Voting in Favor: Allen, Dietrich, Haller, Nordby Thompson and Tollman
Voting against: None. 6 ayes, 0 nays, Motion carried.

5. Public Comment

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Teri Crites, owner of Uptown Pizza, presented to Council a proposal for July 14th and 15th would like to have sidewalk sale of food vendors outside of Uptown Pizza at 613 E La Salle Ave. Council invited Mrs. Crites to present formal proposal at the June regular meeting.

- 6. Public hearing regarding its proposed application for Community Development Block Grant – Public Facilities Program (CDBG-PF) funds. Mayor Vruwink opened the public hearing at 6:00PM. Dave Rasmussen facilitated the CDBG-PF public hearing. Rasmussen informed the council Identification of total potential funds of other eligible CDBG activities. He conducted a presentation of identified community development needs. Rasmussen presented activities proposed for CDBG application, including potential residential displacement. Citizen input regarding proposed and other CDBG activities was elicited. The City of Barron will know by end of July, 2017 if grant is awarded.

Motion to close public hearing by Nordby, seconded by Haller; voice vote:

Ayes-6 Nays-0 Motion carried.

- 7. Citizen Participation Plan and RESOLUTION 2017-03; Adopting a Revised Citizen Participation Plan

Motion by Dietrich, seconded by Haller to approve RESOLUTION 2017-03; voice vote:

Ayes-6 Nays-0 Motion carried.

RESOLUTION NO. 2017-03
ADOPTING A CITIZEN PARTICIPATION PLAN

WHEREAS, the City of Barron has applied for a Community Development Block Grant; and
 WHEREAS, the Wisconsin Department of Administration and the U.S. Department of Housing and Urban Development require recipients of Community Development Block Grant monies to have in place a Citizen Participation Plan; and
 WHEREAS, the Citizen Participation Plan shall encourage citizen participation (especially by persons of low- to moderate-income), provide citizens reasonable and timely access to local meetings and information, provide for technical assistance, provide for public hearings and provide for a complaint procedure; and
 WHEREAS, the City of Barron has prepared and publicly reviewed a Citizen Participation Plan;
 NOW THEREFORE BE IT RESOLVED that the City of Barron officially adopts the Citizen Participation Plan.

The above resolution has been authorized by the governing body of the City of Barron Resolution No. 2017-03, dated on this 9th day of May, 2017.

SIGNED: _____
David Vruwink, Mayor

ATTEST: _____
Bob Kazmierski, City Clerk

- 8. RESOLUTION 2017-04; Adopting a Fair Housing Ordinance

Motion by Nordby, seconded by Allen to approve RESOLUTION 2017-04; voice vote:

Ayes-6 Nays-0 Motion carried.

RESOLUTION NO. 2017-04
RESOLUTION ADOPTING FAIR HOUSING ORDINANCE

AN ORDINANCE TO CREATE SECTION 28 OF THE CITY CODE OF THE CITY OF BARRON ADOPTING WISCONSIN STATUTES, SECTION 106.50, AS AMENDED, RELATING TO THE EQUAL RIGHTS OF ALL PERSONS TO FAIR HOUSING, AND PROVIDING MEANS FOR THE IMPLEMENTATION AND ENFORCEMENT THEREOF. THE CITY OF BARRON DOES ORDAIN AS FOLLOWS:

Section 28.21 is created to read as follows:

FAIR AND OPEN HOUSING

WHEREAS, the City Council of the City of Barron recognizes its responsibilities under Section 106.50, Wisconsin Statutes, as amended, and endorses the concepts of fair and open housing for all persons and prohibition of discrimination therein;

THEREFORE, BE IT ORDAINED THAT:

- 1) The City Council of the City of Barron hereby adopts Section 106.50, Wisconsin Statutes, as amended, and all subsequent amendments thereto.

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- 2) The officials and employees of the City of Barron shall assist in the orderly prevention and removal of all discrimination in housing within the City of Barron by implementing the authority and enforcement procedures set forth in Section 106.50, Wisconsin Statutes, as amended.
- 3) The City Clerk shall maintain forms for complaints to be filed under Section 106.50, Wisconsin Statutes, as amended, and shall assist any person alleging a violation thereof in the City of Barron to file a complaint thereunder with the Wisconsin Department of Work Force Development, Equal Rights Division, for enforcement of Section 106.50, Wisconsin Statutes, as amended.

The above resolution has been authorized by the governing body of the City of Barron Resolution No. 2017-04, dated on this 9th day of May, 2017.

SIGNED: _____
David Vruwink, Mayor

ATTEST: _____
Bob Kazmierski, City Clerk

9. RESOLUTION 2017-05; Adopting a Relocation and Anti-Displacement Plan

Motion by Tollman, seconded by Dietrich to approve RESOLUTION 2017-05; voice vote:

Ayes-6 Nays-0 Motion carried.

RESOLUTION NO. 2017-05
CITY OF BARRON
WISCONSIN RESIDENTIAL ANTIDISPLACEMENT AND
RELOCATION ASSISTANCE PLAN
FOR CDBG PROGRAMS

This Residential Anti-Displacement and Relocation Assistance Plan (RARAP) is prepared by the City of Barron in accordance with the Housing and Community Development Act of 1974, as amended; and HUD regulations at 24 CFR 42.325 and is applicable to our CDBG¹ projects.

Minimize Displacement

Consistent with the goals and objectives of activities assisted under the Act, the City of Barron will take the following steps to minimize the direct and indirect displacement of persons from their homes:

- Stage rehabilitation of apartment units to allow tenants to remain in the building/complex during and after the rehabilitation, working with empty units first.
- Arrange for facilities to house persons who must be relocated temporarily during rehabilitation.
- Where feasible, give priority to rehabilitation of housing, as opposed to demolition, to avoid displacement.
- If feasible, demolish or convert only dwelling units that are not occupied or vacant occupiable dwelling units (especially those units which are “lower-income dwelling units” as defined in 24 CFR 42.305).
- Target only those properties deemed essential to the need or success of the project.

Relocation Assistance to Displaced Persons

The City of Barron will provide relocation assistance for lower-income tenants who, in connection with an activity assisted under the CDBG Program, move permanently or move personal property from real property as a direct result of the demolition of any dwelling unit or the conversion of a lower-income dwelling unit in accordance with the requirements of 24 CFR 42.350. A displaced person who is not a lower income tenant, will be provided relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR Part 24.

One-for-One Replacement of Lower-Income Dwelling Units

The City of Barron will replace all occupied and vacant occupiable lower-income dwelling units demolished or converted to a use other than lower-income housing in connection with a project assisted with funds provided under the CDBG Program in accordance with 24 CFR 42.375.

Before entering into a contract committing the City of Barron to provide funds for a project that will directly result in demolition or conversion of lower-income dwelling units, the City of Barron will make

¹ CDBG programs include: Entitlement Community Development Block Grant (CDBG) Program, State CDBG Program, CDBG Small Cities Program, Section 108 Loan Guarantee Program, CDBG Special Purpose Grants Program, and the Neighborhood Stabilization Program (NSP).

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public, by publication in the Barron News-Shield, and submit to HUD and the Wisconsin Department of Administration the following information in writing:

1. A description of the proposed assisted project;
2. The address, number of bedrooms, and location on a map of lower-income dwelling units that will be demolished or converted to a use other than as lower-income dwelling units as a result of an assisted project;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. To the extent known, the address, number of lower-income dwelling units by size (number of bedrooms) and location on a map of the replacement lower-income housing that has been or will be provided. NOTE: See also 24 CFR 42.375(d).
5. The source of funding and a time schedule for the provision of the replacement dwelling units;
6. The basis for concluding that each replacement dwelling unit will remain a lower-income dwelling unit for at least 10 years from the date of initial occupancy; and
7. Information demonstrating that any proposed replacement of lower-income dwelling units with smaller dwelling units (e.g., a 2-bedroom unit with two 1-bedroom unit), or any proposed replacement of efficiency or single-room occupancy (SRO) units with units of a different size, is appropriate and consistent with the housing needs and priorities identified in the HUD-approved Consolidated Plan and 24 CFR 42.375(b).

To the extent that the specific location of the replacement dwelling units and other data in items 4 through 7 are not available at the time of the general submission, the City of Barron will identify the general location of such dwelling units on a map and complete the disclosure and submission requirements as soon as the specific data is available.

Replacement not Required Based on Unit Availability

Under 24 CFR 42.375(d), the City of Barron may submit a request to HUD (or to the Wisconsin Department of Administration for a determination that the one-for-one replacement requirement does not apply based on objective data that there is an adequate supply of vacant lower-income dwelling units in standard condition available on a non-discriminatory basis within the area.

Contacts

The City Clerk’s Office is responsible for tracking the replacement of lower-income dwelling units and ensuring that they are provided within the required period.

The City Clerk’s Office is responsible for providing relocation payments and other relocation assistance to any lower-income person displaced by the demolition of any dwelling unit or the conversion of lower-income dwelling units to another use.

The above resolution has been authorized by the governing body of the City of Barron Resolution No. 2017-05, dated on this 9th day of May, 2017.

SIGNED: _____
David Vruwink, Mayor

ATTEST: _____
Bob Kazmierski, City Clerk

10. RESOLUTION 2017-06; to Adopt the Policy to Prohibit the Use of Excessive Force and the Barring of Entrances/Exits for Non-Violent Civil Rights Demonstrations

Motion by Allen, seconded by Haller to approve RESOLUTION 2017-06; voice vote:
Ayes-6 Nays-0 Motion carried.

RESOLUTION NO. 2017-06
Resolution to Adopt the Policy to
Prohibit the Use of Excessive Force and the Barring of Entrances/Exits
for Non-Violent Civil Rights Demonstrations

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BARRON

POLICY TO PROHIBIT THE USE OF EXCESSIVE FORCE AND THE BARRING OF ENTRANCES/EXITS FOR NON-VIOLENT CIVIL RIGHTS DEMONSTRATIONS

WHEREAS Section 104 (L)(1) of Title I of the Housing and Community Development Act of 1974 as amended (42 U.S.C. 69 §5304) prohibits the State from expending or obligating any Community Development Block Grant funds to any unit of general local government that does not have or adopt a policy prohibiting the use of excessive force by local law enforcement agencies within its jurisdiction

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against any individuals engaged in nonviolent civil rights demonstrations; and a policy of enforcing State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstration within its jurisdiction;

AND WHEREAS it is in the interest of the City of Barron to pursue Community Development Block Grant Funds and to adopt policy that complies with Section 104 (L)(1) of Title I of the Housing and Community Development Act of 1974 as amended (42 USC 69 §5304);

NOW THEREFORE, BE IT RESOLVED BY THE CITY PRESIDENT AND THE CITY COUNCIL OF THE CITY OF BARRON:

It is POLICY of the City to prohibit the use of excessive force by law enforcement agencies within the City’s jurisdiction against any individuals engaged in nonviolent civil rights demonstrations.

It is POLICY of the City to enforce applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstration within the City’s jurisdiction.

The officials and employees of the City shall assist in the orderly prevention of all excessive force within the City of Barron by implementing the authority and enforcement procedures set forth in Title I of the Housing and Community Development Act of 1974.

The City Council directs the Police Chief to implement this Resolution by amending applicable law enforcement procedures.

The above resolution has been authorized by the governing body of the City of Barron Resolution No. 2017-06, dated on this 9th day of May, 2017.

SIGNED: _____
David Vruwink, Mayor

ATTEST: _____
Bob Kazmierski, City Clerk

11. RESOLUTION 2017-07; Authorizing Submission of CDBG Grant

Motion by Haller, seconded by Tollman to approve RESOLUTION 2017-07; voice vote:

Ayes-6 Nays-0 Motion carried.

**RESOLUTION NO. 2017-07
AUTHORIZING RESOLUTION
FOR THE SUBMISSION OF A
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION**

Relating to the City of Barron’s participation in the Community Development Block Grant-Public Facilities (CDBG-PF) program;

WHEREAS, Federal monies are available under the Community Development Block Grant (CDBG) program, administered by the Wisconsin Department of Administration (DOA) Division of Housing (DOH) for the provision or improvement of public facilities (CDBG-PF); and,

WHEREAS, after public meeting and due consideration, the City Council has recommended that an application be submitted to DOA for the following project:

City of Barron Water Tower #2

and,

WHEREAS, it is necessary for the City Council to approve the preparation and filing of an application for the City to receive funds from this program; and,

WHEREAS, the City Council has reviewed the need for the proposed project(s) and the benefit(s) to be gained there from.

NOW, THEREFORE, BE IT RESOLVED, that the City Council does hereby approve and authorize the preparation and filing of an application for the above-named project; and that the Mayor is hereby authorized to sign all necessary documents on behalf of the City of Barron; and that authority is hereby granted to the City Council to take the necessary steps to prepare and file the application for funds under this program in accordance with this resolution.

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The above resolution has been authorized by the governing body of the City of Barron Resolution No. 2017-07, dated on this 9th day of May, 2017.

SIGNED: _____

David Vruwink, Mayor

ATTEST: _____

Bob Kazmierski, City Clerk

12. RESOLUTION 2017-08; City of Barron Guarantee of Matching Funds for the CDBG-PF Application

Motion by Dietrich, seconded by Tollman to approve RESOLUTION 2017-08; voice vote:

Ayes-6 Nays-0 Motion carried.

Resolution No. 2017-08

CITY OF BARRON

**RESOLUTION PROVIDING A GUARANTEE OF MATCHING FUNDS
FOR THE CDBG-PF APPLICATION**

Relating to the City of Barron’s participation in the Community Development Block Grant (CDBG) Program.

WHEREAS, federal monies are available under the CDBG Annual Public Facilities Competition, administered by the State of Wisconsin, Department of Administration, for the purpose of the provision or improvement of public facilities; and

WHEREAS, after public meeting and due consideration, the City Council of the City of Barron has recommended that an application be submitted to the State of Wisconsin for the following project(s):
City of Barron Water Tower #2

WHEREAS, the City Council of the City of Barron has reviewed the need for the proposed public facilities projects, and the benefits to be gained therefrom; and

WHEREAS, an adequate local financial match must be provided for the proposed public facilities project by the City of Barron.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Barron does hereby authorize the commitment of \$1.9 million to be used as outlined in the CDBG Application.

The above resolution has been authorized by the governing body of the City of Barron Resolution No. 2017-08, dated on this 9th day of May, 2017.

SIGNED: _____

David Vruwink, Mayor

ATTEST: _____

Bob Kazmierski, City Clerk

13. 3rd and 6th Street Project Update

Rasmussen reported that construction is underway and ahead of schedule. Last Week: A-1 Excavating completed installation of watermain and sanitary sewer including laterals on 3rd Street. This Week: A-1 Excavating plans on installing storm sewer on 3rd Street. Next Week: A-1 Excavating will likely start on 6th Street during the week of May 15th. Consideration of Change Order 1# -silt fencing for turtles on Oak Street for \$300.00. Also, a change of conduit costs for a deduct of \$1,800 which equates to a total deduct of \$1,500. Motion by Haller, seconded by Nordby to accept Change Order 1#; voice vote:

Ayes-6 Nays-0 Motion carried.

14. 2018-2026 Street and Utility Capital Improvement Plan (CIP)

Rasmussen presented CIP for Street and Utilities. The CIP was discussed at Utility Commission meeting. Motion by Nordby and seconded by Haller, to approve of 2018-2026 Street and Utility Capital Improvement Plan; voice vote:

Ayes-6 Nays-0 Motion carried.

15. Building Inspector Search

Kazmierski explained a consortium of towns, villages and cities are planning to do a group posting and advertising for new Building Inspector search

16. Land Use and Recreational Agreement between the City of Barron and (BANTA) Barron Area Nordic Trail Association

May 9, 2017

Kazmierski presented a land-use agreement between BANTA and City of Barron. Motion by Nordby, second by Tollman to approve Land Use and Recreational Agreement between the City of Barron and (BANTA); voice vote:

Ayes-6 Nays-0 Motion carried.

17. Eliciting bids for custodial services at Barron Municipal Complex

Library Board is recommending this item to be referred to Property Committee. Also, expectations of janitorial services have been created. Currently, there are two custodial services in the Municipal Complex. There is a need to consolidate this service. This will be a future agenda item.

18. Facility Usage Policy of Barron Municipal Complex

There is concern for security in Senior Center and Veteran's space which will need to be resolved before implementation. Sue Queiser recommends the start date to be September 1, 2017. Motion by Tollman, seconded by Allen to adopt Facility Usage Policy effective September 1, 2017; voice vote:

Ayes-6 Nays-0 Motion carried.

19. Committee Reports

Haller discussed Street Committee recommendations and Summer Help. Existing turf tires are three years old and need replacing. Discussion of camera to install at the City Disposal Site. Police Department requested that the Street Committee explore this issue. There are several violators using the site after hours. There may be a need to add gate and/or camera. Concerns that some people may put hazardous/ construction materials outside of gate. Need to add camera and signage. There may be a gate available. However, questions about how to monitor gate on the weekends and evenings. Police Department may be able to monitor. Site is an asset to the community and provides a great service. Street Committee directed Dave Hanson to price out camera and gate and conduct a cost analysis of hiring PT observer

Allen suggested that the City inform residents that they are not allowed to put out items for Spring Cleanup weeks beforehand.

Thompson reported on Police Committee. The Property Committee recommended that the Island Shelter bathroom project be pushed into 2018.

Dietrich reported on the Recreation Council. Pool will open on June 4, 2017. Will stay open later if there are people there after 7:00PM. Wed nights will be open later. Dave Smith is overseeing all accounts. Online registration is on the home web page. Indemnification waiver is in place.

Representation of all the associations are limited. New strategies are being developed. Soccer association invited to identify new location space. Dietrich invited City crew to leave enough payment in place old tennis courts to provide for two (2) basketball courts. Tollman is working with Dave Smith in supplying protective equipment for users of the Skateboard Park.

Administrator Report

- a. Employee Handbook update-draft #2 is completed and sent out to department heads for input
- b. Code Enforcement Officer Update-Presentation at June Regular meeting
- c. Recognition of Kelli Rasmussen's efforts in successfully completing PSC Electrical Audit

19. Adjournment: Duly moved to adjourn at 7:19 PM

Prepared by Bob Kazmierski, City Administrator-Clerk/Treasurer, City of Barron

These minutes were taken at a regular meeting held on May 9, 2017 and entered in this record book, June XX, 2017.

UNAPPROVED/DRAFT